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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,)
10) CASE NO. MJ 13-580
11 Plaintiff,)
12 v.)
13 WESLEY JOHN GIBBS,)
14 Defendant.)
15)

16 Offense charged: Assault with a Dangerous Weapon; Brandishing and Using a Firearm

17 During a Crime of Violence; Unlawful Possession of a Firearm

18 Date of Detention Hearing: December 2, 2013.

19 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
20 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
21 that no condition or combination of conditions which defendant can meet will reasonably
22 assure the appearance of defendant as required and the safety of other persons and the
community.

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01 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

02 1. Defendant's criminal record includes multiple failures to appear with bench
03 warrant activity, fugitive arrest warrants, and numerous prior crimes of violence. Tribal
04 charges are pending regarding the current offense and defendant is currently on community
05 custody supervision for violation of a no contact order.

06 2. Defendant poses a risk of nonappearance due to a history of failing to appear,
07 history of failing to comply with supervision, lack of employment and a history of substance
08 abuse. Defendant poses a risk of danger due to the nature of the instant offense, alleged gang
09 ties, and criminal history.

10 3. There does not appear to be any condition or combination of conditions that will
11 reasonably assure the defendant's appearance at future Court hearings while addressing the
12 danger to other persons or the community.

13 It is therefore ORDERED:

- 14 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
15 General for confinement in a correction facility separate, to the extent practicable, from
16 persons awaiting or serving sentences or being held in custody pending appeal;
17 2. Defendant shall be afforded reasonable opportunity for private consultation with
18 counsel;
19 3. On order of the United States or on request of an attorney for the Government, the
20 person in charge of the corrections facility in which defendant is confined shall deliver
21 the defendant to a United States Marshal for the purpose of an appearance in connection
22 with a court proceeding; and

4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United State Pretrial Services Officer.

DATED this 2nd day of December, 2013.

Marcella D. Johnson

Mary Alice Theiler
Chief United States Magistrate Judge